

UNOFFICIAL VERSION

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WEDNESDAY, JANUARY 11, 2017

SECOND ORGANIZATIONAL DAY

CALL TO ORDER

The Senate met at 9:00 a.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Lt. Commander Timothy White of the U.S. Naval Reserve Center in Chattanooga, Tennessee, a guest of Senator Gardenhire.

PLEDGE OF ALLEGIANCE

Senator Gardenhire led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Gardenhire led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 33

Senators present were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--33.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 16 and 17** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILLS

The Speaker announced the following bills were filed for introduction and passed first consideration:

Senate Bill No. 16 by Senator Harris.

Criminal Procedure -- As introduced, clarifies that a person petitioning for a certificate of employability does not have to be in the process of restoring the person's rights of citizenship. Amends TCA Title 40, Chapter 29, Part 1.

Senate Bill No. 17 by Senator Roberts.

Highway Signs -- As introduced, authorizes DUI memorial signs for victims of accidents in which the intoxicated driver causing the accident was not convicted due to the driver dying as a result of the

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accident; requires a sign to be erected as soon as reasonably practicable for such a victim named in the act. Amends TCA Section 54-5-1003 and Chapter 1039 of the Public Acts of 2016.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 1 through 5 and 7 through 15** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced that **Senate Bills Nos. 1 through 5 and 7 through 15** passed second consideration and were held on the Clerk's desk pending the appointment of the appropriate committees.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 8 and 9**; and **Senate Resolutions Nos. 1 through 6** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 8 by Senator Roberts.
Memorials, Death -- Jerry Hollis Duncan.

Senate Joint Resolution No. 9 by Senators Kelsey, Bell and Ketron.
Constitutional Conventions -- Calls for a convention of the states to plan for an Article V convention to propose a balanced budget amendment to the United States Constitution; creates a balanced budget amendment convention committee.

Senate Resolution No. 1 by Senators Norris and Southerland.
General Assembly, Confirmation of Appointment -- Confirms the appointment of persons to the state university board of the University of Memphis.

Senate Resolution No. 2 by Senators Norris, Tracy and Ketron.
General Assembly, Confirmation of Appointment -- Confirms the appointment of persons to the state university board of Middle Tennessee State University.

Senate Resolution No. 3 by Senators Norris and Bailey.
General Assembly, Confirmation of Appointment -- Confirms the appointment of persons to the state university board of Tennessee Technological University.

Senate Resolution No. 4 by Senators Norris and Lundberg.
General Assembly, Confirmation of Appointment -- Confirms the appointment of persons to the state university board of East Tennessee State University.

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Senate Resolution No. 5 by Senators Norris and Harper.

General Assembly, Confirmation of Appointment -- Confirms the appointment of persons to the state university board of Tennessee State University.

Senate Resolution No. 6 by Senators Norris and Green.

General Assembly, Confirmation of Appointment -- Confirms the appointment of persons to the state university board of Austin Peay State University.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 1 and 3 through 6** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced that **Senate Joint Resolutions Nos. 1 and 3 through 6** passed second consideration and were held on the Clerk's desk pending the appointment of the appropriate committees.

RECESS

Senator Norris moved pursuant to **Senate Joint Resolution No. 7** that the Senate recess and repair in a body to the House Chamber to meet the House of Representatives in Joint Convention for the purpose of the election of the Constitutional Officers and for Mr. Drew Rawlins, Executive Director of Bureau of Ethics, to address the Body for the Annual Ethics Current Issues Course Training; and further moved that at the conclusion of the Joint Convention that the Senate adjourn until 9:00 a.m., Thursday, January 12, 2017, which motion prevailed.

IN JOINT CONVENTION

ELECTION OF CONSTITUTIONAL OFFICERS/ANNUAL ETHICS CURRENT ISSUES COURSE

CALL TO ORDER

Mr. President McNally called the Joint Convention to order pursuant to **Senate Joint Resolution No. 7**.

PRAYER

The proceedings were opened with prayer by Lt. Commander Timothy White of the U.S. Naval Reserve Center in Chattanooga, Tennessee, a guest of Senator Gardenhire.

ROLL CALL

Mr. President McNally declared a quorum was present.

On motion of Senator Norris, the roll call of the Senate was dispensed with.

On motion of Representative Casada, the roll call of the House was dispensed with.

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Mr. Russell Humphrey, Chief Clerk of the Senate, read **Senate Joint Resolution No. 7**, authorizing the Joint Convention for the election of Secretary of State, Comptroller of the Treasury and State Treasurer, and for Mr. Drew Rawlins, Executive Director of Bureau of Ethics, to address the Body for the Annual Ethics Current Issues Course Training.

MOTION

Senator Watson moved that the Report of the Select Committee to Review the Audits and Operations of the Comptroller of the Treasury and the Department of Treasury be adopted and spread upon the Journal, which motion prevailed.

Representative Casada seconded the motion.

REPORT OF THE SELECT COMMITTEE TO REVIEW THE AUDITS AND OPERATIONS OF THE COMPTROLLER OF THE TREASURY AND THE DEPARTMENT OF THE TREASURY

On January 10, 2017 the select committee appointed by the Speakers of the Senate and the House of the Representatives, pursuant to Tennessee Code Annotated, Sections 8-4-102 and 8-5-102, to review the audits and operations of the Comptroller of the Treasury and the Department of the Treasury met in Room 12 of the Legislative Plaza. The select committee was composed of Representative Charles Sargent, Representative Curtis Johnson, Representative Glen Casada, Representative Craig Fitzhugh, and Senator Lee Harris, Senator Jack Johnson, Senator Mark Norris, and Senator Bo Watson, who served as chairman. A quorum was present.

Treasurer David H. Lillard, Jr. and Comptroller Justin P. Wilson presented the following information to the committee:

- An audit report of the Comptroller of the Treasury, dated January 2017
- An audit report of the Department of the Treasury for the fiscal year ended June 30, 2016
- A report entitled "State of Tennessee Comptroller of the Treasury Department of Audit Quality Control Review for the period 7/1/2015 through 6/30/2016" conducted under the direction of the National State Auditors Association.

Senator Norris moved that the committee accept the audits of the Comptroller of the Treasury and the Department of the Treasury as being properly conducted and in compliance with all laws and to report such action to the Senate and House of Representatives. Representative Sargent seconded the motion. The motion carried unanimously.

There being no further business, the committee adjourned, sine die.

/s/ Chairman
Senator Bo Watson

ELECTION OF SECRETARY OF STATE

Mr. President McNally declared the next order of business was the election of the Secretary of State and that nominations were now in order.

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Senator Watson placed in nomination the name of the Honorable Tre Hargett of Sumner County.

Senator Haile seconded the nomination of Mr. Hargett.

Representative Keisling moved the nominations cease and the Honorable Tre Hargett be elected by acclamation, which motion prevailed.

Thereupon, Mr. President McNally declared the Honorable Tre Hargett duly, legally and constitutionally elected Secretary of State for the ensuing four years.

APPOINTMENT OF SELECT COMMITTEE

Mr. President McNally appointed a Committee composed of Senators Bowling, Gresham and Roberts; Representatives Lamberth, Rogers and Mark White to escort Mr. Hargett to the Well.

OATH OF OFFICE

The Honorable Justice Jeffrey S. Bivins, of the Tennessee Supreme Court administered the oath of office to Mr. Hargett.

Mr. Secretary of State Hargett made remarks.

ELECTION OF COMPTROLLER OF THE TREASURY

Mr. President McNally declared that the next order of business was the election of the Comptroller of the Treasury, and that nominations were now in order.

Senator Dickerson placed in nomination the name of the Honorable Justin P. Wilson of Davidson County.

Representative McDaniels seconded the nomination of Mr. Wilson.

Senator Crowe moved that the nominations cease and the Honorable Justin P. Wilson be elected by acclamation, which motion prevailed.

Thereupon, Mr. President McNally declared the Honorable Justin P. Wilson duly, legally and constitutionally elected Comptroller of the Treasury for the ensuing two years.

APPOINTMENT OF SELECT COMMITTEE

Mr. President McNally appointed a Committee composed of Senators Haile, Overbey and Stevens; Representatives Camper, Hawk and Sargent to escort Mr. Wilson to the Well.

OATH OF OFFICE

The Honorable Justice Jeffrey S. Bivins, of the Tennessee Supreme Court administered the oath of office to Mr. Wilson.

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Mr. Comptroller Wilson made remarks.

ELECTION OF TREASURER

Mr. President McNally declared that the next order of business was the election of the State Treasurer and that nominations were now in order.

Senator Norris placed in nomination the name of the Honorable David H. Lillard, Jr., of Fayette County.

Representative Casada seconded the nomination of Mr. Lillard.

Senator Gresham moved that the nominations cease and the Honorable David H. Lillard, Jr., be elected by acclamation.

Thereupon, Mr. President McNally declared the Honorable David H. Lillard, Jr., duly, legally and constitutionally elected State Treasurer for the ensuing two years.

APPOINTMENT OF SELECT COMMITTEE

Mr. President McNally appointed a Committee composed of Senators Gresham, Hensley and Norris; Representatives Dunn, Lynn and McCormick to escort Mr. Lillard to the Well.

OATH OF OFFICE

The Honorable Justice Jeffrey S. Bivins, of the Tennessee Supreme Court administered the oath of office to Mr. Lillard.

Mr. Treasurer Lillard made remarks.

PRESENTATION

Pursuant to **Senate Joint Resolution No. 7** and Tennessee Code Annotated, Section 3-6-113, Mr. President McNally introduced Mr. Drew Rawlins, Director of the Bureau of Ethics and Campaign Finance, Tennessee Registry of Election Finance, who presented the annual Ethics Current Issues Course to the Body.

MR. PRESIDENT McNALLY RELINQUISHES THE CHAIR

Mr. President McNally relinquished the Chair to Madam Speaker Harwell as President.

DISSOLUTION OF JOINT CONVENTION

Madam President Harwell declared, pursuant to **Senate Joint Resolution No. 7**, the purpose for which the Joint Convention was assembled having been accomplished, the Joint Convention stood dissolved.

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MESSAGE FROM THE HOUSE

January 11, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23; adopted, for the Senate's action.

TAMMY LETZLER,
Chief Clerk

ADJOURNMENT

Pursuant to Senator Norris's motion, the Senate adjourned until 9:00 a.m., Thursday, January 12, 2017.